

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 22, 2005

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Vogel (Miriam A.), J., Mallano, J., Suzukawa, J. (Assigned) and, S. Beaux, Deputy Clerk.

Each of the following:

B163612 People v. Torres	
B169076 People v. Richard	
B171436 People v. Wiley	
B171765 People v. Sanders	
B172180 People v. Hall	
B172317 People v. Vega	
B173150 People v. Smiley	
B173564 DCFS v. Estrella R.	
B173598 People v. Robles	
B173599 People v. Lara	
B173853 People v. Matthews	
B173887 People v. Munster	
B173936 People v. Hernandez	
B173971 Roberson v. Baeza	B174220 People v. Mariscal
B174527 People v. Bell	
B175161 DCFS v. Michael V.	
B175263 People v. Fiero	
B175663 DCFS v. Alfred A., et al.	B176351 People v. Padilla
B176581 DCFS v. Michael L.	
B176871 DCFS v. Erika P.	
B177629 DCFS v. Nicole N.	
B179908 Myra H. v. SCLA (DCFS, rpi)	

Argument waived, cause submitted.

DIVISION ONE (Continued)

February 22, 2005 (Continued)

B176888 Kamara
 v.
 Harding

Merits:
Argued by Elfrida Kamara, in propria persona and no appearance by respondent. Cause submitted.

B174355 People
 v.
 Gonzalez
 Reyes

Merits:
Argued by A.William Bartz for appellant Gonzalez and by Lance Winters, Deputy Attorney General, for respondent. Deborah Hawkins waived argument for appellant Reyes. Cause submitted.

B173683 People
 v.
 Dafoe

Merits:
Argued by Kathleen M. Redmond for appellant. Alene M. Games, Deputy Attorney General, waived argument for respondent. Cause submitted.

B178541 County of Los Angeles
 v.
 Superior Court, Los Angeles County
 (N.L., r.p.i.)

Merits:
Argued by Carolyn Oill for petitioner and by Alexander M. Polyachenko for real party in interest. Cause submitted.

Spencer, P.J., leaves the bench.

DIVISION ONE (Continued)

B176689 Los Angeles County, D.C.S.
 v.
 Shannon D.

Merits:
Argued by Tyna Thall Orren for appellant and by Kim Nemoy, Deputy
County Counsel, for respondent. Cause submitted.

Spencer, P.J., returns to the bench.

Mallano, J., leaves the bench.

B166371 People
 v.
 Alexander

Merits:
Argued by Eric Multhaup for appellant and by David Wildman, Deputy
Attorney General, for respondent. Cause submitted.

Mallano, J., returns to the bench.

Vogel, J., leaves the bench.

B174471 Santini
 v.
 American Media, Inc. et al.

Merits:
Argued by Timothy L. Alger for appellant and by Robert W. Hodges for
respondent. Cause submitted.

Vogel, J., returns to the bench.

Suzukawa, J., (Assigned) leaves the bench.

DIVISION ONE (Continued)

B177650 The Cadle Company II, Inc. v. S.C.L.A (Sharma et al., r.p.i.)
B170696 The Cadle Company II, Inc. v. Sharma et al., Transamerica Home Loan

Merits:

Argued by Templeton Briggs for petitioner and respondent The Cadle Company, by James J. Little for real party in interest and appellant Sharma and by Mary E. Gram for respondent Transamerica Home Loan. Cause submitted.

Suzukawa, J., (Assigned) returns to the bench.

Vogel, J., leaves the bench.

B170534 Tikosky
 v.
 Yehuda

Merits:

Argued by Cynthia R. Hodes and Richard M. Hoefflin for appellant & cross-respondent and by Ann Penners Bergen for respondent & cross-appellant. Cause submitted.

Court adjourned.

DIVISION THREE

B174233 Chuck Heerlyn
 v.
 Francis M. Reid

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE (Continued)

B170149 Washington Mutual Bank, FA. (Not for Publication)
v.
Cen-Fed, Ltd., et al.

The order is reversed and the matter is remanded with direction to the trial court to exercise its discretion and to determine if the nature and the circumstances of this case warrant the imposition of prejudgment interest pursuant to Civil Code section 3287, subdivision (b). The parties are to bear their own costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Grimes, J. (Assigned)

February 22, 2005 (Continued)

DIVISION FOUR (Continued)

[illegible]

The order of wardship is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

B173283 Cal-Asia Property Development, et al.
v.
Dominguez et al.

Filed order denying petition for rehearing.

DIVISION FIVE

B167314 People (Not for Publication)
v.
Rodolfo Moreno

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
Mosk, J.

DIVISION FIVE (Continued)

B172465 Nathan Williams (Not for Publication)
 v.
 AT&T Broadband

The summary judgment is affirmed. Defendant, AT&T Broadband, is awarded its costs on appeal, from plaintiff, Nathan Williams.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J. (Assigned)

DIVISION SIX

B173920 People (Not for Publication)
 v.
 Tyrece R.

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

B170355 People
 v.
 Thoma

Filed order granting petition for rehearing.

B171801 People
 v.
 Ford

Filed order denying petition for rehearing.

DIVISION SEVEN

B168171 Rio Vista Associates et al. (Not for Publication)
 v.
 Hartford Casualty Insurance Co., et al.

The judgment is affirmed. Respondents and cross-appellant
Transcontinental to recover costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION EIGHT

B164803 Carol Curland (Not for Publication)
 v.
 George Ladner, Jr.,
 Estate of Myrtle Curland, Deceased.

The orders are affirmed. Respondent is to recover his costs on appeal.

Flier, J.

We concur: Cooper, P.J.
 Boland, J.

DIVISION EIGHT (Continued)

B167062 People (Not for Publication)

$$\mathbf{V}_i$$

Jerome G.,

In re Jerome G., a Person Coming Under the Juvenile Court Law.

The matter is remanded to the juvenile court with directions to make proper findings, on a more fully developed record, regarding Jerome's educational needs, with the court's findings to be forwarded to the director of the CYA in an amended commitment order together with Jerome's IEP if one is prepared. The order committing Jerome to the CYA is otherwise affirmed.

Flier, J.

We concur: Cooper, P.J.

Rubin, J.

B167509 Bradley Fischl (Not for Publication)

B169530 v.

New Horizons Computer Learning Centers, Inc., et al.

The judgment is reversed with directions for the trial court to vacate the judgment and postjudgment order granting attorney fees. Fischl shall recover his costs in these appeals.

Flier, J.

We concur: Rubin, Acting P.J.

Boland, J.